

REMARKS

Claims 28 and 30-38 have been rejected under 35 USC 102(e) as anticipated by Wang. The rejection is respectfully traversed.

Wang generally discloses an information and network appliance in which the information appliance stores user information, and the network appliance (telephone) is linked to a network. Companion appliances, compatible with the information appliance, can simultaneously exchange voice and data message with devices connected to the network. However, Wang fails to disclose signaling information according two telecommunication signaling protocols being received and processed at the same time in his terminal device. Rather, Wang discloses only one telecommunication signaling protocol- Ethernet Telephone Management Protocol (EMP). Additionally, Wang does not process any signaling information according to a circuit switched telecommunication signaling protocol in the terminal device.

1. First Signaling Information Limitation

The Examiner references Wang at col. 4, lines 31-36 as disclosing a data processing device having a first program module, wherein the processing device configures first signaling information according to a first standard signaling protocol for packet-switched telecommunications that is processed under a first protocol stack. Applicants respectfully disagree. A review of this section shows that the communications destined for the router according to a packet based network application protocol, not a signaling protocol for packet switched telecommunications, as required by the claimed invention. And the “packet based network application protocol” of Wang is further described as not being used for telephony, which naturally would need telecommunication signaling, and therefore a telecommunication signaling protocol. Additionally, col. 10, lines 2-7, also cited by the Examiner, states that packets can be formatted according to the EMP or according to IP. The IP packets are the network application protocol packets that are forwarded to the appropriate network application, which can be, for example, hyper-text transfer for WWW access (cf. Wang, col. 10, lines 8-13). Consequently, a “packet based network application protocol” is not used for telecommunication signaling in Wang. Rather, this is accomplished by a different protocol for telephony, namely the EMP.

The Examiner further cites Fig 3c as showing the coupling of a palm sized computer and the Ethernet telephone. However, Fig. 3c illustrates that Wang clearly distinguishes between Internet Applications (using IP) and Phone applications using a specific telecommunication signaling protocol (EMP). The Examiner's mapping of the "signaling protocol for packet switched telecommunications" found in the instant application to Wang's "packet based network application protocol", which is not used for telephony but for Internet access, consequently is improper.

2. Second Signaling Information Limitation

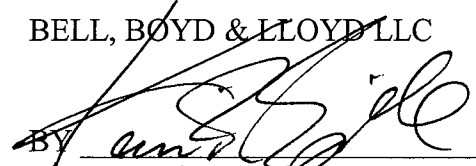
The Examiner cites Wang at col. 4, lines 13-30 as disclosing configuration of second signaling information according to a standard signaling protocol for circuit-switched telecommunications that is processed under a second protocol stack. Applicants respectfully disagree. This section of the reference discloses that the communications between the telephone and the gatekeeper, the gateway server, and directory server are formatted according to a soft private branch exchange telephony application protocol. Hence, Wang's telephone communicates with respect to telephony according to a soft private branch exchange telephony application protocol. "Soft" protocol is described in Wang at col. 11, lines 18-20. Examples include H.323 (packet based multimedia communication systems) and SIP (session initiation protocol). However, these two protocols are packet switched and not circuit switched protocols. This is readily understood by the skilled artisan. That is, the skilled artisan would have understood that the phrase "soft private branch exchange telephony application protocol" are packet switched and not circuit switched telecommunication signaling. Thus, Wang does not disclose circuit switched protocols to be processed in the Ethernet telephone. Such circuit switched protocols (e.g. DSS1, DPNSS1, ISUP) are terminated separate from the packet based network with the Ethernet telephone. That is, the gateway server that is connected to a "switched circuit network" perform this task. However, according to the claimed invention, the circuit switched signaling is received and processed in the terminal device.

Since the recited structure and method are not disclosed by the applied prior art, claims 28, 37 and 38 are patentable. All other claims depend directly or indirectly from claim 28, and are therefore patentable for at least the same reasons.

In light of the above, Applicant submits that the present claims are allowable. Applicant also requests that a timely Notice of Allowance be issued in this case. Should there be any additional charges regarding this application, the Examiner is hereby authorized to charge Deposit Account 02-1818 for any insufficiency of payment.

Respectfully submitted,

BELL, BOYD & LLOYD LLC

A handwritten signature in black ink, appearing to read "Kevin R. Spivak", is written over a horizontal line.

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